

Office of the State Public Defender

Administrative Policies

Subject: Mentoring	Policy No.: xxx
Title:	Pages: 1
Section:	Last Review Date:
Effective Date: 7-1-09	Revision Date:

1.0 POLICY

The Office of the State Public Defender (OPD) recognizes the need and benefit of using the expertise of experienced attorneys in the system to mentor other attorneys. OPD recognizes the benefit to clients of the sharing of knowledge of each of us throughout the system. For these reasons, OPD establishes the following procedures.

2.0 PROCEDURE

2.1 There is, for purposes of this policy, a Mentoring Panel made up of the Chief Public Defender, the Training Officer, the Contracts Manager and at least two other experienced public defenders selected by the Chief Public Defender. The two other experienced public defenders shall be selected on a case-by-case basis.

2.2 Any public defender who is preparing a case to go to trial on a felony involving a crime in Title 45, Chapter 5, Parts 1, 3, 4, 5 shall contact the Chief Public Defender at least 90 days before trial and request a meeting with the Mentoring Panel. The Chief Public Defender shall select the participants and arrange the meeting which can be in person, by telephone, or by VisionNet, as needed at the time.

2.3 The trial attorney will be prepared to present to the Panel a synopsis of the facts from the perspective of the prosecution, the anticipated theory of defense, and any requests for experts, second-chair assistance, travel arrangements, investigative needs, etc.

2.4 Any public defender who anticipates trying a case other than those listed above, may request a meeting with the Mentoring Panel by contacting the Chief Public Defender and the same procedure will be used.

3.0 CLOSING

Questions about this policy should be directed to OPD at the following address:

Office of the State Public Defender, Administrative Service Division
44 West Park
Butte, MT 59701
Phone 406-496-6080

Office of the State Public Defender

Administrative Policies

Subject: Media Policy	Policy No.: xxx
Title	Pages: 2
Section:	Last Review Date:
Effective Date: 04/23/09	Revision Date:

1.0 POLICY

The purpose of this policy is to establish guidelines for the Office of the State Public Defender's (OPD or the agency) response to media inquiries.

The agency will:

- Respond to media inquiries in a timely, appropriate, and professional manner;
- Give all members of the media equal access to public information;
- Do its best to ensure that all information is accurate and up-to-date;
- Uphold the constitutional right of all Montanans to know what their government is doing on their behalf; and
- Take into account the constitutional right of individuals to privacy, and state and federal laws that mandate confidentiality in specific situations.

Any employee who has questions about whether specific information is public or private should contact the Administrative Director at 496-6080.

2.0 PROCEDURES/REQUIREMENTS

2.1 Media Inquiries

The Chief Public Defender, Administrative Director and Regional Deputy Public Defenders may give interviews to or respond to media requests for information. They may delegate this responsibility to other employees on specific projects, issues or topics as appropriate.

Employees should refer media inquiries to their supervisor, Regional Deputy Public Defender, Administrative Director or the Chief Public Defender. If the employee is unable to reach any of these individuals, the employee should provide the requested information to the media representative or refer them to the best source of the information. All questions concerning OPD policy should be forwarded to the Central Office prior to responding.

Anyone who responds to a media inquiry should notify their supervisor, Regional Deputy Public Defender, Administrative Director **and** the Chief Public Defender by e-mail. The e-mail should include:

- The reporter's name, affiliation, and phone number;
- The date/time of the contact;
- The topic of the reporter's call; and
- A brief synopsis of the employee's response.

2.2 News Releases and Press Conferences

All news releases and press conferences must be approved by the Administrative Director or the Chief Public Defender prior to release or scheduling.

2.3 Publications

State agencies are required by law to send a minimum of one electronic copy and up to 17 paper copies of all publications to the State Library Publications Center Coordinator.

All agency publications must include:

- Cost disclosure information as required in Section 18-7-306, MCA (provided by the Department of Administration Print and Mail Services office);
- An accessibility statement: "Alternative accessible formats of this publication will be provided by request. For further information call xxx-xxxx or TTY 711."

2.4 Notices

If the agency becomes aware of a situation about the agency or its operations that may be addressed by the media, the agency will make every effort to notify the Governor's Office, the Public Defender Commission, and, as necessary, the agency's employees, before or as soon as possible after the media release. The agency will provide facts about the issue from the agency's perspective so that all concerned will have the necessary information to answer questions from others.

3.0 CLOSING

Questions about this policy should be directed to the Central Office at the following address:

Office of the State Public Defender, Administrative Services Division
44 West Park
Butte, MT 59701
Phone: 406-496-6080

4.0 CROSS-REFERENCE GUIDE

Montana Constitution Article II, Sections 9 (right to know) & 10 (privacy)
2-6-101, MCA et seq. Public Records

Office of the State Public Defender

Administrative Policies

Subject: Public Participation Guidelines	Policy No.: xxx
Title	Pages: 1
Section:	Last Review Date:
Effective Date: 01/09/09	Revision Date:

1.0 POLICY

These guidelines are intended to insure that the public has a reasonable opportunity to participate in deliberations and decisions that are of significant public interest. Montana's Constitution and statutes guarantee this right.

2.0 PROCEDURES

- 2.1 Post a meeting or hearing notice at least 72 hours in advance of the meeting or hearing.
- 2.2 Post the meeting or hearing notice on the state's electronic calendar, on the agency website, and personally to those who have previously shown an interest in the matter.
- 2.3 Include adequate details of potential or proposed action items.
- 2.4 Give notice of any closed session. Such sessions will be held and conducted in accordance with state law.
- 2.5 Include a full agenda for any meeting or hearing with a time allotted for public comment.
- 2.6 Provide a contact name, address, phone number, mailing and emailing addresses, including where to seek special needs or ADA accommodation.
- 2.7 Record minutes of meetings in accordance with 2-3-212, MCA, and make all minutes available for public inspection.

3.0 CLOSING

This policy shall be followed unless it conflicts with specific statutes, which shall take precedence to the extent applicable.

Questions about this policy should be directed to the State Office at the following address:

Office of the State Public Defender, Administrative Service Division
44 West Park
Butte, MT 59701
Phone: 406-496-6080

4.0 Cross-Reference Guide

Art. II, Sec.8, MT Constitution
MCA 2-3-101, et seq.
ARM 1.3.101